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Letter dated 25 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 3 September 2002 (S/2002/996).

The Counter-Terrorism Committee has received the attached supplementary report from the Lao People's Democratic Republic submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 20 March 2003 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to transmit herewith the response of the Government of the Lao People's Democratic Republic concerning its report on measures to combat terrorism submitted pursuant to Security Council resolution 1373 (2001) (see enclosure).

I should be grateful if you could arrange for this response to be circulated as a document of the Security Council.

(*Signed*) Alounkèo **Kittikhoun**
Ambassador
Permanent Representative of the Lao People's
Democratic Republic to the United Nations

Enclosure

Responses of the Government of the Lao People's Democratic Republic to the questions received from the Counter-Terrorism Committee Pursuant to Security Council resolution 1373 (2001)

Paragraph 1

- **Please describe the legal and other measures available to comply with the requirements of this paragraph of the Resolution. Please provide answer in respect of each sub-paragraph.**

Terrorism is a new concept for the legal system of many countries. Legal measures to prevent and suppress terrorism are important concerns. Today in the Lao People's Democratic Republic (Lao PDR), we do not have specific legal measures to ensure the implementation of paragraph 1 of UNSC Resolution 1373, in particular, laws to prevent and suppress the financing, either directly or indirectly, of terrorist movements, individuals and entities. But the Lao PDR has its Constitution, the Penal Law, the Criminal Procedure Law and other measures, all of which form an important basis for ensuring proper implementation of this Resolution. For example, the Bank of the Lao PDR has issued Order Number 307/BL, dated 11/12/2001 to all commercial banks operating in the Lao PDR to check for accounts and incoming and outgoing financial transactions involving terrorist individuals and organizations as presented in the list provided by the United States Embassy in the Lao PDR. This checking process has occurred eleven times up to now. The results of the checking of banks have disclosed no funds nor assets in the bank or through the banking network in the Lao PDR that are associated with terrorists or used to support terrorist activities. The Bank of the Lao PDR has set up a unit to perform the checking process and to monitor incoming and outgoing banking network transactions of US$10,000 or over.

- **Could the Lao People's Democratic Republic outline the existing or proposed laws and regulations, which aim at preventing, suppressing and criminalizing the financing of terrorist acts?**

The Lao PDR does not have laws and regulations aimed specifically at preventing, suppressing and criminalizing the financing of terrorist acts. In the future, the banking sector plans to create a decree on money laundering, which will prevent legalization or utilization of illegal money and assets for supporting terrorist acts. After creating this decree, if there is a necessity to draft further laws or specific regulations criminalizing the financing of terrorist acts, the Lao PDR will consider taking this action within the regional context.

- **Which is the authority responsible for oversight over banks in the Lao People's Democratic Republic?**

The Bank of the Lao PDR, which is the central bank, is the authority responsible for oversight over banks in the Lao PDR.

- **Please explain what is meant by "liaisons" in part II of the report.**

The word "liaisons" which is mentioned in part II of the initial report of the Lao PDR means all commercial banks, including their head offices and branches, which are under the oversight of the Bank of the Lao PDR.

- **Do informal banking networks exist in the Lao People's Democratic Republic? Please outline the legal provisions regulating them, if any.**

In the Lao PDR, we do not have informal banking networks, but there are small-scale informal credit schemes and the external banking exchange of foreign currencies. These activities are considered illegal as the Bank of the Lao PDR has not authorized them. Regulations managing commercial banks and foreign currencies contain oversight clauses on illegal activities, for example, measures on fines and the implementation of legal procedures against those persons who conduct unauthorized and illegal banking operations or foreign currency exchanges.

- **What are the legislative provisions and procedures that enable the economic and financial system of the Lao People's democratic Republic to guard against operations carried out by persons or entities that are involved, or suspected of being involved, in criminal activities, especially terrorist activities or activities in support of terrorism? If there are none, are any planned?**

Today, the Lao PDR does not have any regulations or legal procedures to enable the economic and financial systems to guard against operations carried out by persons or entities that are involved, or suspected of being involved, in criminal activities, especially terrorist activities or activities in support of terrorism. But, in the future, the Lao PDR plans to create a decree on money laundering, as stated above, aimed at countering money laundering of all types.

Paragraph 2

- **Please describe the legal and other measures available to comply with the requirements of this paragraph of the Resolution. Please provide answers in respect of each sub-paragraph.**

Many articles of the Constitution and of the Penal Law of the Lao PDR fulfill the requirements as stipulated in paragraph 2, Resolution 1373.

In the **Constitution, Article 38** states:
" The Lao People's Democratic Republic grants asylum to foreigners who are persecuted for their struggle for freedom, justice, peace or for their scientific activities"

In the **Penal Law**, the following articles apply:

Article 16: Participation in Infraction
" Participation in infraction consists of voluntary participation in an intentional infraction by two or more persons. Participants of infraction are the authors, implementing, inciting and assisting persons.

1. The author is the one who has planned, organized or given instructions to commit the infraction,
2. The perpetrator is the one who has directly committed the infraction;
3. Inceptors are persons pushing other to commit infraction;
4. Accomplices are persons who have given voluntary assistance in the infraction or prior agreement to hide the offender, instruments, and tools of infraction, to efface traces of the infraction or to conceal proceeds from such infraction.

Article 51 (New): Treason to the Nation

" A Lao citizen in contact and cooperating with aliens or foreign organizations for the purpose of undermining the independence, sovereignty, territorial integrity, grand political causes, defense and security, economy, culture and society of the Lao People's Democratic Republic shall be punished by ten to twenty years of imprisonment and shall be fined from Kip 10.000.000 to Kip 500.000.000, with the possibility that his/her assets may be confiscated as provided under article 32 of this law and be placed under house arrest or life imprisonment or capital punishment".

Article 52 (New): Rebellion

" Any person participating in activities causing commotion in view of overthrowing or weakening the administration shall be punished by imprisonment from ten to twenty years and fined from Kip 10.000.000 to Kip 500.000.000, with the possibility that their assets may be confiscated as provided under article 32 of this law and placed under house arrest, or life imprisonment or capital punishment. Any preparation and attempt to commit such offense shall also be punished".

Article 53 (New): Spying

" Aliens, foreign residents or stateless persons gathering intelligence or documents of state or official confidential nature for the purpose of damaging or undermining the Lao People's Democratic Republic shall be punished by imprisonment from eight to twenty years and fined from Kip 5.000.000 to Kip 300.000.000. Such persons may furthermore have their assets confiscated as provided under Article 32 of this law, placed under house arrest or life imprisonment or subject to capital punishment.

Persons gathering intelligence or state or official document of a confidential nature for the purpose of relaying to Lao rebels carrying out activities undermining the Lao People's Democratic Republic shall be punished by imprisonment from five to ten years and fined from Kip 5.000.000 to Kip 200.000.000. Furthermore, their assets may be confiscated as provided under article 32 of this law and such persons placed under house arrest.

Lao citizens gathering intelligence or state or official documents of a confidential nature for the purpose of relaying to aliens or foreign organizations as information to damage or undermine the Lao People's Democratic Republic shall be considered as committing a treason against the nation and shall be punished as provided under article 51 of this law.

Attempts to commit such offense shall also be punished."

Article 54 (New): Territorial Violation Affecting National Security

" Armed persons violating the territory of the Lao People's Democratic Republic and thereby affecting the national security shall be punished by imprisonment from five to fifteen years and shall be fined from Kip 3.000.000 to Kip 150.000.000. Attempt to commit such an offense shall also be punished."

Article 55 (New): Attempt on Life

" Any person physically harming leaders of the Lao people's Democratic Republic with the purpose of undermining or weakening the state authority shall be punished by imprisonment from ten to twenty years and shall be fined from Kip 10.000.000 to Kip 150.000.000. Where such physical harm results in death, the offender shall be punished with life imprisonment or execution.

Any person causing physical harm to representatives of the State authority, civil servants, persons performing the activities of state or social organizations with the aim of weakening the state authority shall be punished by five to ten years of imprisonment and shall be fined from Kip 5.000.000 to Kip 50.000.000. Where such physical harm results in death, the punishment shall include from ten to twenty years of imprisonment and a fine from Kip 10.000.000 to 100.000.000 or life imprisonment or execution.

Any person physically harming a foreign representative with the aim of dividing and undermining international relations or causing acts of war shall be punished by eight to twenty years of imprisonment and fined from Kip 7.000.000 to Kip 100.000.000. Where such physical harm results in death, the punishment shall be increased to ten to twenty years of imprisonment and a fine between Kip 10.000.000 to Kip 150.000.000 or life imprisonment or execution.

In addition to the above punishments, penalties may include the confiscation of assets as provided under article 32 of this law and house arrest.

Any preparation and attempts to commit such an offense shall be punished."

Article 56 (New): Destruction

" Persons destroying, undermining, burning plants and factories, offices, agencies, roads, communication and transport vehicles, telecommunication equipment and other important economic bases with the intention to weaken the state and the national economy, releasing toxic chemicals or viruses among communities or animals shall be punished by eight to twenty years of imprisonment and fined from Kip 5.000.000 to Kip 100.000.000. Furthermore, their assets may be confiscated as provided under article 32 of this law, their residence restricted, and such persons may be sentenced to life imprisonment or execution."

Article 57 (New): Destruction of State or Social Undertakings

"Any person responsible for the destruction of industrial, trade, transport, agricultural, financial economic base and activities of state and social organizations through acts or failure to act or internal division by using his/her position to weaken the State and undermine the national economy shall be punished by five to twenty years of imprisonment and a fine of Kip 3.000.000 to Kip 100.000.000. Furthermore, his/her assets may be confiscated as provided under article 32 of this law; the person may be placed under house arrest, sentenced to life imprisonment or execution.

Any preparation and attempts to commit such crime shall also be punished."

Article 58 (New): Forgery of Bank Notes or Use of the Forged Bank Notes

"Any person using printing equipment or other means to forge bank notes, foreign currencies or importing forged bank notes for circulation in the Lao People's Democratic Republic shall be punished by five to fifteen years of imprisonment and shall be fined from Kip 10.000.000 to Kip 150.000.000.

Offenders forging bank notes or importing forged bank notes through an organization or in substantial quantity shall be punished by ten to twenty years of imprisonment and shall be fined from Kip 20.000.000 to Kip 300.000.000.

Any preparation and attempts to commit such offence shall also be punished. A person knowingly making use of forged bank notes shall be punished by three months to five years of imprisonment and shall be fined from Kip 2.000.000 to Kip 5.000.000.

A person knowingly having forged bank notes in his/her possession but failing to notify the authorities shall be punished by three months to two years of imprisonment and shall be fined from Kip 100.000 to Kip 500.000".

Article 59 (New): Propaganda against the Lao People's Democratic Republic

"Persons conducting propaganda activities against and slandering the Lao People's Democratic Republic; distorting the guidelines of the Party and the policy of the Government; circulating false rumors causing disorders by words, in writing, through prints, newspaper; motion pictures, videos, photos, documents or other contents detrimental to the Lao People's Democratic Republic for the purpose of weakening the State authority shall be punished by one to five years of imprisonment and shall be fined from Kip 500.000 to 10.000.000."

Article 60 (New): Division of Solidarity

"Any person dividing or causing resentment between ethnic groups and social strata with the intention to undermine national solidarity shall be punished by one to five years of imprisonment and shall be fined from Kip 500.000 to Kip 10.000.000".

Article 61 (New): Civil Commotion

"Any person enrolled in an armed organization attacking and destroying plants and factories, offices social organizations or taking civil servants and civilians as prisoners or killing them, or robbing state, collective, individual property with the intention to undermine the foundations of social order shall be punished by five to twenty years of imprisonment and fined from Kip 5.000.000 to Kip 100.000.000. Furthermore, his/her property may be confiscated as provided under article 32 of this law, the person may be sentenced to restricted residence or life imprisonment or execution.

Any preparation and attempts to commit the offense shall also be punished."

Article 150 (New): Forgery of Documents or Use of Forged Documents

"The forgery of documents, signatures, seals, deletion or addition of wording to documents is punishable by three months to two years of imprisonment and fines from Kip 200.000 to Kip 2.000.000.

The use of forged documents knowingly is punishable by three months to two years of imprisonment and a fine from Kip 200.000 to Kip 2.000.000.

In the case of substantial loss due to the forgery or use of forged documents, the punishment is from two to five years imprisonment and a fine from Kip 500.000 to Kip 10.000.000".

Article 154 (New): Concealment of Offense

"A witness to an offense without any previous agreement with the offender but failing to report to the authorities shall be punishable by three months to two years of imprisonment or reformatory measures without privation of liberty and a fine from Kip 200.000 to Kip 2.000.000".

Article 155 (New): Concealment of Offender

" A person having not previously agreed with an offender and providing shelter or assistance to such offender to evade arrest or trial shall be punishable by three months to five years of imprisonment or reformation without privation of liberty and a fine from Kip 300.000 to Kip 5.000.000".

In the **Criminal Procedure Law**, the following articles apply:

Article 26: Events and Basis for the Commencement of Investigation-Interrogation in Criminal Cases

" Cases for the commencement of investigation-interrogation in criminal cases consist of :

1. A citizen, office, enterprise, organization or an employee's suit or a complaint regarding an offense. Such a suit or complaint is to be submitted to an investigating-interrogating official or the public prosecutor
2. The voluntary submission of the offender
3. The discovery of evidence of wrong doing by the investigating - interrogating office, public prosecutor, or court.

There shall be commencement of the investigation-interrogation of a criminal case only if there is a sufficient basis which demonstrates the elements of an offense."

Article 42: Seizure and Sequestration of Assets

" In the case that the type, quantity, and location of materials related to the case and clearly known and can be used beneficially in the processing of the case, the investigating-interrogating official or civil servant interrogator must issue an order to seize such materials. For immovable materials, there shall be an order to sequester such materials. The method for seizures and sequestration and the documentation of such seizure or sequestration shall be performed in accordance with Article 41 of this Law".

Article 46: Preventative Custody

" After locating a suspect and if necessary, an investigating-interrogating official or a civil servant interrogator may detain the concerned individual for three days in order to conduct an investigation-interrogation, however, such detention must be reported to the public prosecutor within twenty-four hours from the time of the detention.

Within those three days, the investigating-interrogating official or the civil servant interrogator must take the statement of the detainee and make his decision as follows:

1. If it is deemed that there is no basis for the issuance of an order to commence investigation-interrogation, the investigating-interrogating official or the civil servant interrogator must release the detainee and immediately report it to the public prosecutor.

2. If it is deemed that there is no basis for the issuance of an order to commence investigation-interrogation and if it is deemed necessary to imprison the detainee, the investigating-interrogating official must issue an order to commence investigation-interrogation and request an order to imprison from the public prosecutor. For the civil servant interrogator, he must request an order to commence investigation-interrogation and an order to imprison from the public prosecutor.

After having received the request for imprisonment of the investigation-interrogation official and the civil servant interrogator, the public prosecutor must make his decision within twenty-four hours of whether to release or to imprison the detainee".

Article 47: Arrests

"The arrest of any individual must be accompanied by an order in writing from the public prosecutor or the court, except in cases where an offense is seen being committed or in urgent cases.

Before the issuance of an order to arrest, the public prosecutor or the court must make reference to the following conditions:

1. The wrong doing must be a criminal offense upon which the law determines the penalty to be the deprivation of personal liberty.
2. The evidence which comprises the case must show preponderance of evidence.

Additionally, there must be reference to other conditions such as: the suspect may flee, destroy evidence, hurt the injured party or witnesses or will do further wrongful acts or the suspect may be hurt by the injured party or by other individuals.

If there is to be an arrest of a monk or a seminarian, the temple administrator must be notified for defrocking.

For arrests in normal cases, the arrest order along with the case of such arrest must be declared to the arrest.

In all case after an arrest of an accused, the investigating-interrogating official must report to the public prosecutor within twenty-four hours and must take a statement from the arrested no later than within forty-eight hours while also rendering an opinion of whether to release or to imprison the arrested.

In the case where the arrested is released or must be imprisoned, the investigating-interrogating official or civil servant interrogator must request a release order or an imprisonment order from the public prosecutor.

After there has been receipt of the request to release or imprison the arrested from the investigating-interrogating official or the interrogating civil servant, the public prosecutor must make his decision within twenty-four hours of whether to release or imprison the arrested.

In the case that it is not the investigating-interrogating official who conducts the arrest, the arrested must be handed over to the investigating-interrogating official immediately. For arrests in remote areas, the arrested shall be handed over to the investigating-interrogating official from the date of the arrest.

Arrests must be conducted methodically and in a manner appropriate to the offense and the arrested.

Beatings and torture of the arrested are prohibited.

Arrests, in any case must be notified to the family, office, agency or enterprise at which the concerned individual is located within forty-eight hours and his place of imprisonment must be notified if it is deemed that such notification will not interfere with the case proceedings."

Article 48: Arrests in the Case of Offenses Committed within the sight of Officials and in Urgent Cases

" Arrests in cases where there is an offense being committed within the sight of officials or in urgent cases do not require an arrest order from the public prosecutor the court.

Individuals who shall be arrested in cases where there is an offense being sighted have demonstrated the following:

1. Individuals in the act of committing an offense who are being pursued or individuals who have directly seen an incident and an injured party has identified them at their home at the time when such an offense arose.

2. Individuals who have committing an offense who are being pursued or individuals who have directly seen an incident and an injured party has identified them as the offender.

3. Individuals who have evidence of an offense on their person or in their home at the time when such an offense arose.

Individuals who shall be arrested in urgent cases have demonstrated the following:

1. Individuals who are suspected of an offense, who have a dubious background or an uncertain residence.

2. Individuals who are suspected of an offense who are in the act of fleeing".

Article 50: Imprisonment

" Imprisonment must be accompanied by an order from the public prosecutor or the court and must reference conditions as provided for in article 47 of this Law. The time limit of imprisonment shall not exceed three months from the date of the issuance of the order to imprison. If it is deemed necessary, the public prosecutor shall extend the time limit for imprisonment for an additional period of three months. However the total period of imprisonment shall not exceed one year. If imprisonment has extended beyond that period and there is not sufficient evidence

for a court case, the public prosecutor must issue an order to release the accused immediately "

- **Please elaborate on how the security measures have been strengthened at the international airport, the border checkpoints and the premises of diplomatic missions and international organization.**

The Lao PDR attaches great importance to security, orderliness and tranquility of the society, including firm prevention of terrorist acts. Already we have set up security measures at the airports and border checkpoints, according to the Prime Minister's Decree on Immigration-Emigration of Lao Citizens and Foreigners (PM/031, dated 2/3/1998). We have enforced measures to protect and ensure the security of embassies, consulates, and international organizations through various legal, administrative, technical and socio-economic measures. For example, security measures at airports include:

- X-ray of all passengers' luggage;
- In case of breakdown of x-ray machines, security officers perform hand-checks on luggage.
- Before boarding airplanes or entering the passenger boarding areas, all passengers are subjected to security checks.
- When prohibited objects are found, security officers are informed immediately to take necessary measures.
- Daily coordination meetings of the immigration, security and customs officers.

Besides the above measures, there are private security companies hired for 24-hour protection of various public and private places, and at diplomatic and international premises.

- **How are the embassies and consulate-generals of the Lao People's Democratic Republic expected to verify whether a person is associated with terrorist activities or terrorist groups?**

The embassies and consulate-generals of the Lao PDR know about persons associated with activities of terrorists or terrorist groups based on information and data received from concerned government authorities, or from international organizations with anti-terrorism mandates, which conduct investigations and interrogations of persons who have:

- planned, organized or given instructions for the infraction; or
- directly committed the infraction; or
- encouraged others to commit infraction; or
- been accomplices and have given voluntary assistance in the infraction; or
- concealed information, instruments and tools of infraction; or
- agreed to hide the persons involved in the infraction.

- **Is there any provision in the law of the Lao People's Democratic Republic to prohibit the acquisition of firearms without a license (especially at the time of purchase)?**

The acquisition of firearms is prohibited in particular under the following articles in the Penal Law:

Article 70 (New): Unlawful Production, Possession and Use of Warfare Weapons or Explosives

"Any person producing, possessing, keeping wearing or using warfare weapons or explosives in contravention with the law shall be punished by six months to five years of imprisonment and shall be fined from Kip 500,000 to Kip 10,000,000."

Article 71 (New): Unlawful Trade of Warfare Weapons or Explosives

"Any person purchasing and selling warfare weapons or explosives in contravention with the law shall be punished by six months to five years of imprisonment and shall be fined from Kip 1,000,000 to Kip 20,000,000.

Where an offender performs the purchase and sale of warfare weapons or explosives as regular profession, through an organized group or in the case of the purchase and sale in substantial quantity, shall be punished by five to ten years of imprisonment and shall be fined from Kip 5,000,000 to Kip 50,000,000."

Article 72 (New): Theft, Embezzlement, Robbery of Warfare Weapons or Explosives

"Any persons stealing, embezzling or robbing warfare weapons or explosives shall be punished by two to five years of improvement and shall be fined from Kip 2,000,000 to Kip 25,000,000.

Where such theft or embezzlement of war weapons or explosives is performed as a regular profession, through an organized group, or involves a substantial quantity of war weapons or explosives or is committed robbery of these items, the offender shall be punished by five to ten years of imprisonment and shall be fined from Kip 5,000,000 to Kip 50,000,000."

Article 73 (New): Loss of Warfare Weapons or Explosives belonging to the State or Collectives

"Any person causing the loss of warfare weapons or explosives belonging to the State or collectives out of negligence shall be punishable by three months to three years of imprisonment or by reformatory measures without privation or liberty, and shall be fined from Kip 100,000 to Kip 1,500,000."

- **Which are the institutions responsible in the Lao People's Democratic Republic for providing early warning to other State?**

The Ministry of Foreign Affairs of the Lao PDR is the institution responsible for providing early warning to other State.

- **Please provide information on the mechanism for inter-agency cooperation among the authorities responsible for narcotics control, financial tracking and security with particular regard to the border controls designed to prevent the movement of terrorists.**

The Lao PDR's responsible authorities for narcotics control are: (1) the Lao Commission for Drug Control and Supervision from national to local levels (community), and (2) the relevant technical unit under the Ministry of Public

Security. Both are the primary units for coordination with all other government agencies on this issue.

- **What is the legal timeframe within which a request for judicial assistance in criminal investigations or criminal proceedings, including those relating to the financing or support of terrorist acts, must be met and how long does it actually take in practice to implement such a request?**

In the case of a request for judicial assistance in criminal investigations or criminal proceedings, including those relating to the financing or support of terrorist acts, the timeframe depends on whether the case is simple, complex or very difficult, and therefore can take one week, or ten to twenty days, or one month or more. According to the Criminal Procedure Law of the Lao PDR, the responsible authorities usually conduct investigations and interrogations on a case within two months. Depending on the complexity of the case, these authorities can request a two-month extension repeatedly, in conformity with Article 32, which sets the timeframe for investigations and interrogations.

- **Please outline the penal legal provisions, which are relevant to implement sub-paragraph 2 (e) of the Resolution.**

Legal provisions, which are relevant to implement sub-paragraph 2 (e) of the Resolution, are clearly stipulated in the Penal Law in Articles 51, 52, 53, 54, 55, 56, 57, and 61, as presented on pages 3-6.

- **What is the competence of the courts of the Lao People's Democratic Republic to deal with criminal acts of each of the following kinds:**
  - **an act committed within the Lao People's Democratic Republic by any person (whether that person is currently present in the Lao People's Democratic Republic or not);**
  - **an act committed outside the Lao People's Democratic Republic by a person who is a citizen of, or habitually resident in , the Lao People's Democratic Republic (whether that person is currently present in the Lao People's Democratic Republic or not);**
  - **an act committed outside the Lao People's Democratic Republic by a foreign national who is currently in the Lao People's Democratic Republic?**

The articles of the Penal Law of the Lao People's Democratic Republic, which concern criminal acts of the above kinds, are presented below:

Article 3: Effectiveness of the Penal Law outside the territory of the Lao People's Democratic Republic

" This Penal Law is binding in the territory of the Lao People's Democratic Republic. All individuals transgressing the Penal Law within the territory of the Lao People's Democratic Republic are liable to sanctions defined by the Penal Law of the Lao People's Democratic Republic.

Cases of diplomatic representatives or individuals benefiting from diplomatic immunity sanctioned by international conventions guilty of infractions in the territory of the Lao People's Democratic Republic will be solved through the diplomatic channel."

Article 4: Application of the Penal Law outside the territory of the Lao People's Democratic Republic

" Lao citizen guilty of penal infractions committed outside the territory of the Lao People's Democratic Republic will assume penal responsibilities of the committed infraction as mentioned in the Penal Law of the Lao People's Democratic Republic.

Foreigners and stateless individuals residing in the Lao People's Democratic Republic, if guilty of penal infractions outside the territory of the Lao People's Democratic Republic, are also liable to assume penal responsibilities.

Foreign citizens committing infractions outside the territory of the Lao People's Democratic Republic are liable to assume responsibilities towards the penal law of the Lao people's Democratic Republic if such cases are mentioned in international conventions."

Paragraph 3

- **Has the Lao People's Democratic Republic entered into bilateral agreements to prevent and suppress terrorist attacks and take action against perpetrators of such acts?**

The Lao PDR has not entered into bilateral agreements to suppress and prevent terrorist attacks with any country.

- **With which countries the Lao People's Democratic Republic has entered into bilateral treaties on extradition and mutual legal assistance?**

The Lao PDR has entered into bilateral treaties on extradition with the Kingdom of Thailand, the Kingdom of Cambodia, and the People's Republic of China. On civil and penal cases, the Lao PDR and the Socialist Republic of Vietnam have a treaty of mutual assistance, within which the issue of extradition is addressed. Currently, the Lao PDR is negotiating a treaty with the Russian Federation.

- **Please provide a progress report in relation to the twelve relevant international conventions and protocols relating to terrorism on:**
  - **The Lao people's Democratic Republic becoming a party to the instruments to which it is not yet a party including the intentional Convention for the Suppression of the Financing of Terrorism; and**
  - **Enacting legislation and making other necessary arrangements to implement the instruments to which it has become a party.**

The Lao PDR has become a party to the international conventions and protocols relating to terrorism as follows:

1. Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963.
2. Convention for the Suppression of Unlawful Seizure of Aircraft, 1970.
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971.
4. Convention on the Prevention and Punishment of Crime against Internationally Protected Persons, including Diplomatic Agents, 1973.
5. International Convention Against the Taking of Hostages, 1979.

6. Protocol for the Suppression of Unlawful Acts of Violence at Airport Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988.
7. International Convention for the Suppression of Terrorist Bombing, 1979
8. Convention on the Safety of the United Nations and Associated Personnel, 1994.

The Lao PDR is amending the Penal Law in order to ensure fulfillment of its obligation as stipulated in these international conventions and protocols to which the Lao DPR is a party. In any case, the Penal Law has set already some penalty clauses applied to illegal terrorist acts or related to terrorist acts.

- **Please describe the legal and other measures available to comply with the requirements of sub-paragraph 3 (f).**

Legal and other measures available to comply with the requirements of sub-paragraph 3(f) are contained in the Constitution and in the Penal Law.

In the **Constitution**:

Article 37

" Alien and persons having no nationality have the right to enjoy those rights and freedoms protected by the provisions of the laws of the Lao People's Democratic Republic. They have the right to lodge petitions with courts and the concerned organizations of the Lao People's Democratic Republic"

Article 38

" The Lao People's Democratic Republic grants asylum to foreigners who are persecuted for their struggle for freedom, justice, peace or for their scientific activities".

In the **Penal Law**:

Article 61

" Any person enrolled in an armed organization attacking and destroying plants and factories, faces. Social organization or taking civil servants and civilians as prisoners or killing them or robbing state, collective, individual property with the intention to undermine the foundations of social order shall be punished by five to twenty years of imprisonment and lined from kid 5.000.000 to Kid 100.000.000. Furthermore his/ her property may be confiscated as provided under article 32 of this law. They may be sentenced to restricted residence or life imprisonment or execution".

- **Please explain whether there is a law on extradition or whether bilateral treaties govern extradition.**

The Lao PDR does not have a specific law on extradition. However, the Lao PDR has entered into bilateral treaties on extradition with the Kingdom of Thailand, the Kingdom of Cambodia, the People's Republic of China and the Socialist Republic of Vietnam. Currently, we are considering drafting a law on extradition to submit to the National Assembly for further consideration.

- **Are claims of political motivation recognized as grounds for refusal of extradition of alleged terrorists?**

Terrorism is considered as a violent act. Therefore, there is no reason, including political reasons, to refuse extradition. However, if extradition is requested, we do require substantial evidence that the person in concern is a terrorist or not.

So far, the Lao PDR has never received such claims.

Paragraph 4

- **Has the Lao People's Democratic Republic addressed any of the concerns expressed in paragraph 4 of the Resolution in addition to having acceded to the Convention on Psychotropic substances (Vienna, 1971) and to the Single Convention on Narcotic Drugs (New York, 1961)?**

The Lao PDR supports and cooperates with the international community against terrorism as stated in paragraph 4 of the Resolution, in addition to having acceded to the Convention on Psychotropic Substances (Vienna, 1971) and to the Single Convention on Narcotic Drugs (New York, 1961).

Other Matters

- **Could the Lao People's Democratic Republic please provide an organizational chart of its administrative machinery, such as police, immigration control, customs, taxation and financial supervision authorities, established to give practical effect to the laws, regulations and other documents that are seen as contributing to compliance with the Resolution.**

In order to ensure efficient implementation of the UNSC Resolution 1373, the Prime Minister of the Lao PDR has issued Decree Number 63/ PM, dated 27 December 2002, which sets up a Ad Hoc Committee for Implementing the UNSC Anti-Terrorism Resolution 1373. The Ad Hoc Committee is chaired by the Deputy Prime Minister, Minister of Foreign Affairs, and is composed of senior officials from ministries concerned with the prevention and suppression of terrorism.

Assistance

This matter of assistance is under consideration and if there is a need, the CTC will be notified in the future.